

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>In re:</b>	)	
	)	<b>Case No. 3:19-bk-1971</b>
<b>CAPSTONE PEDIATRICS, PLLC,</b>	)	
	)	<b>Chapter 11</b>
<b>Debtor.</b>	)	
	)	
	)	
	)	
<b>CDS BUSINESS SERVICES, INC.</b>	)	
<b>d/b/a NEWTEK BUSINESS CREDIT.</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Adv. Proc. No. 3:20-ap-90140</b>
	)	
	)	
<b>AMERICA CARES TRUST d/b/a</b>	)	
<b>CARENATION</b>	)	
	)	
<b>Defendant.</b>	)	

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**EXPEDITED ORDER  
SETTING HEARING ON AMERICA CARES TRUST d/b/a CARENATION'S SECOND  
EXPEDITED MOTION AND SUPPORTING MEMORANDUM FOR  
LIMITED RELIEF FROM PRELIMINARY INJUNCTION  
AND CONTINUANCE OF PRETRIAL CONFERENCE**

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Defendant America Cares Trust, Inc. d/b/a CareNation (“**CareNation**”) has filed a Second Expedited Motion and Supporting Memorandum for Limited Relief from the Preliminary Injunction entered by this Court on September 18, 2020 (Docket Entry 12) and a Continuance of

the Pretrial Conference set for November 4, 2020 (Docket Entry 6). Based upon the allegations in the motion, good cause exists to schedule an expedited hearing.

The Court anticipates that the Plaintiff, CDS Business Services, Inc. d/b/a Newtek Business Credit (“CDS”) will be responding promptly to the expedited motion. Accordingly, even though the hearing is being set on an expedited basis, the Court expects CDS to be in a position to respond to the matter quickly. Therefore, the following procedures will apply.

1. A hearing will be conducted telephonically at \_\_\_\_:\_\_\_\_\_.m. on \_\_\_\_\_, 2020. The call-in information is: Call-In Number:\_\_\_\_\_; Access Code:\_\_\_\_\_. CareNation shall upload any exhibits expected to be presented at the hearing no later than 12:00 p.m. on \_\_\_\_\_, \_\_\_\_\_ 2020, through use of the Court’s Electronic Evidence Submission Application (“EESA”), using a numbering system where CareNation’s exhibits will start with #1001.

3. CDS shall file any response it wishes to file by 5:00 p.m. on \_\_\_\_\_, 2020.

4. CDS shall upload any exhibits expected to be presented at the hearing no later than \_\_\_\_:\_\_\_\_\_.m. on \_\_\_\_\_, \_\_\_\_\_ 2020, through use of EESA, using a numbering system where CDS’ exhibits will start with #2001.

5. CareNation shall serve this order upon CDS by the fastest means available as soon as possible after entry on \_\_\_\_\_, 2020.

It is so **ORDERED**.

*[This order was signed and entered electronically as indicated at the top of the first page.]*

**SUBMITTED FOR ENTRY:**

**BONE McALLESTER NORTON PLLC**

/s/ William J. Haynes, III  
Sam J. McAllester III, #03461  
William J. Haynes III, #17398  
511 Union Street, Suite 1600  
Nashville, Tennessee 37219  
(615) 238-6300 Phone  
(615) 238-6301 Facsimile  
Email: [smallester@bonelaw.com](mailto:smallester@bonelaw.com)  
[whaynes@bonelaw.com](mailto:whaynes@bonelaw.com)

*Attorney for America Cares Trust,  
d/b/a CareNation*

## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was filed electronically on October 27, 2020. Notice of this filing was sent by operation of the Court's electronic filing system to all those parties specifically requesting electronic service and as indicated on the electronic filing receipt. Parties may also access this filing through the Court's electronic filing system.

Daniel H. Puryear  
Puryear Law Group PLLC  
104 Woodmont Boulevard, Suite 201  
Nashville, TN 37205  
[dpuryear@puryearlawgroup.com](mailto:dpuryear@puryearlawgroup.com)  
*Counsel for the Plaintiff,  
CDS Business Services, Inc.  
d/b/a Newtek Business Credit*

David W. Houston IV  
Burr & Forman LLP  
222 Second Avenue South, Suite 2000  
Nashville, TN 37201  
[dhouston@burr.com](mailto:dhouston@burr.com)  
*Counsel for Capstone Pediatrics, PLLC*

Daniel Fleming  
Wong Fleming  
821 Alexander Road, Suite 200  
Princeton, NJ 08540  
[dfleming@wongfleming.com](mailto:dfleming@wongfleming.com)  
*Counsel for Bank of America, NA\*

Megan Seliber  
Office of the U.S. Trustee, Trial Attorney  
318 Customs House, 701 Broadway  
Nashville, TN 37203  
[megan.seliber@usdoj.com](mailto:megan.seliber@usdoj.com)  
*Counsel for the United States Trustee*

/s/William J. Haynes, III

William J. Haynes, III